

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

ROBERT J. COLLIER,

Plaintiff,

v.

LAND & SEA RESTAURANT COMPANY,
LLC d/b/a FRANKIE ROWLAND'S
STEAKHOUSE

Case No.: 7:13-cv-104

Defendant/Third Party Plaintiff,

v.

PERFORMANCE FOOD GROUP, INC.
d/b/a PERFORMANCE FOOD SERVICE –
VIRGINIA,

Third Party Defendant/Fourth Party Plaintiff,

v.

SAM RUST SEAFOOD, INC.

Fourth Party Defendant/Fifth Party Plaintiff,

v.

CAPE COD SHELLFISH & SEAFOOD COMPANY,

Fifth Party Defendant/Sixth Party Plaintiff,

v.

NORM BLOOM AND SON, LLC,

Sixth-Party Defendant.

**MOTION OF FOURTH PARTY DEFENDANT/FIFTH PARTY PLAINTIFF SAM RUST
SEAFOOD, INC. TO STRIKE JURY DEMAND IN SECOND AMENDED COMPLAINT
OF DEFENDANT/THIRD PARTY PLAINTIFF
LAND & SEA RESTAURANT COMPANY, LLC**

For the reasons stated in the accompanying Memorandum, this Court should strike the jury demand of Defendant/Third Party Plaintiff Land & Sea Restaurant Company, LLC.

CONCLUSION

For the reasons stated above, this Court should deny Land & Sea's demand for trial by jury and grant Sam Rust all other relief to which Sam Rust may be entitled.

SAM RUST SEAFOOD, INC.

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CERTIFICATE

I hereby certify that on September 16, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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